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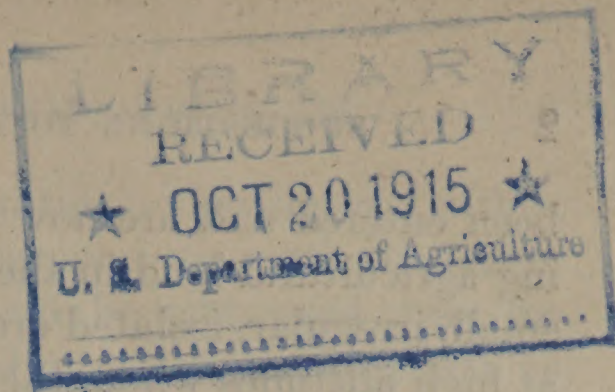
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U. S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE.

HENRY S. GRAVES, FORESTER.

**SUGGESTIONS AND INFORMATION TO PROSPECTIVE FOREST
HOMESTEAD APPLICANTS.**

GENERAL INFORMATION.

The National Forest Homestead Act provides for the opening for settlement and classification of lands in the National Forests which are found by the Secretary of Agriculture to be chiefly valuable for agriculture and not needed for public purposes. This act is in effect an extension of the provisions of the regular homestead laws with two important exceptions: (1) That National Forest lands can not be entered or settled upon until classified by the Secretary of Agriculture as chiefly valuable for farming, and (2) commutation is not permitted.

Lands which are needed in connection with the administration of the Forests and their various resources are held for public purposes. Similarly, lands which are needed to protect city and town water supplies, lands essential to prevent erosion and floods, lands required for the development of irrigation and water power, and lands which because of their location and character may be needed for public camping or other public purposes are also not open to entry.

The National Forests occupy chiefly the higher and more rugged portions of the mountains in the West. Most of the land lies above the agricultural zone. The boundaries of the Forests are drawn to exclude all large bodies of agricultural land. Here and there within the boundaries, however, are scattered patches and strips of land suitable for farming, but too small to make their exclusion from the Forests practicable. These are the areas to which the Forest homestead act applies.

Persons wishing to settle within the National Forests should bear in mind that the Forests have been repeatedly explored and the best agricultural lands already classified and entered. During the last decade the Forest Service has classified as agricultural and open to entry about 20,000 individual tracts, comprising approximately 2,000,000 acres. Except in a very few instances these tracts have

been entered and are now occupied by homesteaders. The remaining agricultural land in the National Forests comprises chiefly either small, irregular, isolated areas, scattered here and there in the interior at high altitudes where the growing season is short, and remote from good roads and settlements, or areas requiring irrigation but where water is not at present available, or river bottoms and benches now covered with very heavy timber and which for this reason are not at present subject to listing. Further, such of these remaining areas as are best suited to agriculture are being segregated as rapidly as possible and listed for entry with the General Land Office. Wherever considerable areas of such land are found they are either eliminated from the Forest or are listed in a body with the Secretary of the Interior to be opened to entry.

Individuals who have personal knowledge of areas which they believe to be suitable for agricultural development may, on application, obtain an examination of the land for the purpose of classifying it as agricultural if the facts justify this course. When so classified, the applicant has a 60-day prior right of entry.

HOW TO OBTAIN SPECIFIC INFORMATION.

Full information regarding procedure in making application for homesteads in the National Forests may be obtained from any one of the offices of the Forest Service listed on page 3. The Forest Service does not, however, keep a register of agricultural areas for which applications may be filed by intending settlers. General information is available at the Forest offices regarding lands which have been listed for entry with the General Land Office as the result of classification, but information as to whether specific areas are still available for entry should be sought from the General Land Office.

If a prospective settler wishes to make application for some tract which has not yet been classified, he should satisfy himself by a personal examination as to whether the land is the kind he would wish to enter were it available.

Local forest officers may be able to advise applicants who are on the ground as to where agricultural areas may be found. Forest officers, however, can not "locate" intending settlers, but can render only such assistance as they can give without interference with their regular duties of administration and protection. All information which can be so provided by forest officers is gladly given.

It is very important that those living at a distance from the National Forests should inform themselves of the possibilities of securing available lands suitable for farming before undertaking an expensive trip to mountain regions in which all the available agricultural land may have been taken up.

Specific information relating to opportunities for settlement within the Forests should be sought through correspondence with the forest supervisors. The Washington office should be addressed only on important questions of policy or general procedure. A leaflet is issued by the Forest Service which gives the names of all the National Forests and the addresses of the supervisors in charge. Copies of this leaflet will be sent on request made either to the Washington office or any of the six district offices, or to forest supervisors. An inquirer who obtains this list will be able to communicate with the supervisor or supervisors of the Forest or Forests in which he is especially interested. The approximate location of these Forests is shown on page 10. The detailed records of the land in the various Forests are in the hands of the supervisors.

Complaints or inquiries of a general nature may be addressed either to the district forester of the district concerned or to the Forester at Washington. The boundaries of the districts are indicated on the key map (p. 10). The offices of the six western district foresters are as follows:

District 1, Missoula, Mont.

District 2, Denver, Colo.

District 3, Albuquerque, N. Mex.

District 4, Ogden, Utah.

District 5, San Francisco, Cal.

District 6, Portland, Oreg.

HOW TO APPLY FOR LAND.

The application should be submitted to the office of the Forest concerned on Form 253, which may be obtained free from any forest officer.

The person upon whose application the land is listed will alone be named in the listing letter, and will have, if qualified, preference right of entry, unless there was a bona fide settler upon the land prior to January 1, 1906, who has not abandoned the same, in which event the settler, if qualified, has the preference right.

No applicant can assign or relinquish his right to land listed in his name to any other person so as to entitle such person to the preferred right of entry.

If the application is finally rejected or withdrawn, application may be made for another tract.

Applications submitted through professional locators or third parties will receive no special attention. The regularly appointed officers of the Forest Service are its only agents.

Settlement within National Forests, except upon agricultural lands which have been opened to entry under the provisions of the Forest homestead act, is not authorized and constitutes trespass.

NATIONAL FOREST REGULATIONS RELATING TO AGRICULTURAL SETTLEMENT.

Reg. L-50.—Under authority conferred by law the Secretary of Agriculture will examine and ascertain the location and extent of lands within permanent or temporary National Forests which are chiefly valuable for agriculture, and which, in his opinion, can be occupied for agricultural purposes without injury to the National Forests and which are not needed for public purposes, to the end that they may be listed with the Secretary of the Interior for opening to settlement and entry under the homestead laws applicable in the National Forests. Such lands may be listed either independently or on application.

Reg. L-51.—Applications under the act of June 11, 1906, must be in writing, must be dated, must give the address of the applicant, and must be signed and certified to by him in the presence of a forest supervisor, acting supervisor, ranger, or assistant ranger, who may, when it appears necessary, require the applicant to furnish a signed description of the character and location of the land. The application will be returned unless the certificate shows that the applicant has been upon the land applied for and is familiar with its character. Exceptions may be made to this rule when the land applied for has already been examined and classified as agricultural or when it is shown to the satisfaction of the district forester that certification before a forest officer would result in unnecessary hardship or expense. If the tract applied for is covered by a public land survey, it must be described by reference to subdivisions, section, township, and range within which it is located. If the tract is not covered by a public-land survey, it must be described by reference to natural objects, streams, or improvements with sufficient accuracy to identify it. Applications must be filed with the district forester of the district in which the tract applied for is situated. An application which is not in the form prescribed above will be returned to the applicant for completion. Priority of application will be determined by the order in which complete applications are filed with the district forester in the form prescribed herein.

Reg. L-52.—The Secretary of Agriculture will not pass upon the qualifications under the homestead laws of applicants for the examination and listing of lands under the act of June 11, 1906, but reserves the right to refuse to examine and list for applicants who are clearly not qualified to make entry under the homestead law.

Reg. L-53.—The rejection by the district forester of an application under the act of June 11, 1906, in the first instance or after a review of the case by him, shall be final unless the applicant shall, within 30 days after receipt of the district forester's decision (in which will be stated the grounds for such rejection), file with the district forester a petition for review of such decision by the Forester.

Every petition for review shall state definitely in writing the grounds in the record upon which it is based and may be accompanied by such argument as the petitioner desires to submit. If the Forester affirms the action of the district forester, the records and papers in the case will be sent to the Secretary of Agriculture for his action, whose action will become final and the case closed.

If any purported appeal or petition for review is received by the Forester or the Secretary which recites or alleges new matter not in the record when before the district forester and apparently sufficient to affect the judgment in the case, it will be forwarded to the district forester for his consideration. If upon the reconsideration of the case in the light of the new matter the district forester changes his action and decides to list a portion of the land, the case will take its regular course; but if the district forester's conclusion is still to refuse listing, the records and papers in the case will be returned to the Forester for consideration of the appeal or petition.

Where an application is returned by the district forester by reason of the status of the land showing that the Forest Service has no jurisdiction of the area applied for, or where the land has been regularly segregated and classified as nonagricultural or not listable under the provisions of the act of August 10, 1912, no application for reconsideration will be entertained.

Reg. L-54.—All applications by Indians for allotments of lands within the National Forests under section 31 of the act of June 25, 1910 (36 Stat., 853), which are submitted to the Secretary of Agriculture, in order that he may determine whether the land applied for is more valuable for agriculture or grazing than for the timber found thereon, must be made in the form prescribed by the regulations of the Secretary of the Interior governing Indian allotments on National Forests.

Reg. L-55.—Either of the following acts or conditions will constitute abandonment of an application:

1. Failure of the applicant to answer within 60 days written inquiry from the examiner, supervisor, or district office, addressed to the applicant's last address of record, answer to which is necessary to a proper disposal of the case.

2. Failure of the applicant to request reconsideration or to appeal within 30 days or within such longer time as may be specified by the district forester in his letter to the applicant, at his last known address of record, proffering to list a part of the land applied for, with explanation as to why the remainder of the area can not be listed.

3. Entry by the applicant under some law requiring residence on land not contiguous to that applied for.

Reg. L-56.—An application for land embraced in a subsisting unperfected entry will be returned to the applicant without recording unless it sets forth the fact that the applicant has initiated a contest against the entry and who, but for the fact of the land being within a National Forest, would succeed to the rights granted by section 2 of the act of May 14, 1880 (21 Stat., 140), as amended by the act of July 26, 1892 (27 Stat., 270), in which case a notation will be made upon the record of the receipt of such application and of the pending contest. The application will then be returned to the applicant with the statement that if the contest results in cancellation of the entry the application may be reinstated as of the date of final conclusion of the contest if filed within 30 days succeeding the period in which the contestee has right of appeal. Such application will, however, confer no right upon the applicant unless the land is finally listed or eliminated from the Forest.

Reg. L-57.—In the event of the death of an applicant not a settler under the act of June 11, 1906 (34 Stat., 233)—

1. If the land has not been examined, the application will lapse and the case will be closed.

2. If the land has been examined and found listable, it will be listed without naming any person in the listing letter, unless the deceased applicant under a special-use permit had in good faith made substantial improvements on the land, in which case the widow, if there be one, and, if not, such qualified member of his family as may be designated by all the heirs at law of the deceased applicant, may be named in the listing letter as the one to whom the land is listed.

LAWS RELATING TO FOREST HOMESTEADS.

AN ACT To provide for the entry of agricultural lands within forest reserves.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture may, in his discretion, and he is hereby authorized, upon application or otherwise, to examine and ascertain as to the location and extent of land within permanent or temporary forest reserves, except the following counties in the State of California: Inyo, Tulare, Kern, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and San Diego; which are chiefly valuable for agriculture, and which, in his opinion, may be occupied for agricultural purposes without injury to the forest reserves, and which are not needed for public purposes, and may list and describe the same by metes and bounds, or otherwise, and file the lists and descriptions with the Secretary of the Interior, with the request that the said lands be opened to entry in accordance with the provisions of the homestead laws and this Act.

Upon the filing of any such lists or description the Secretary of the Interior shall declare the said lands open to homestead settlement and entry in tracts not exceeding one hundred and sixty acres in area and not exceeding one mile in length, at the expiration of sixty days from the filing of the list in the land office of the district within which the lands are located, during which period the said list or description shall be prominently posted in the land office and advertised for a period of not less

than four weeks in one newspaper of general circulation published in the county in which the lands are situated: *Provided*, That any settler actually occupying and in good faith claiming such lands for agricultural purposes prior to January first, nineteen hundred and six, and who shall not have abandoned the same, and the person, if qualified to make a homestead entry upon whose application the land proposed to be entered was examined and listed, shall, each in the order named, have a preference right of settlement and entry: *Provided further*, That any entryman desiring to obtain patent to any lands described by metes and bounds entered by him under the provisions of this Act shall, within five years of the date of making settlement, file, with the required proof of residence and cultivation, a plat and field notes of the lands entered, made by or under the direction of the United States surveyor-general, showing accurately the boundaries of such lands, which shall be distinctly marked by monuments on the ground, and by posting a copy of such plat, together with a notice of the time and place of offering proof, in a conspicuous place on the land embraced in such plat during the period prescribed by law for the publication of the notice of intention to offer proof, and that a copy of such plat and field notes shall also be kept posted in the office of the register of the land office for the land district in which such lands are situated for a like period; and further, that any agricultural lands within forest reserves may, at the discretion of the Secretary, be surveyed by metes and bounds, and that no land entered under the provisions of this Act shall be patented under the commutation provisions of the homestead laws, but settlers, upon final proof, shall have credit for the period of their actual residence upon the lands covered by their entries.

SEC. 2. That settlers upon lands chiefly valuable for agriculture within forest reserves on January first, nineteen hundred and six, who have already exercised or lost their homestead privilege, but are otherwise competent to enter lands under the homestead laws, are hereby granted an additional homestead right of entry for the purposes of this Act only, and such settlers must otherwise comply with the provisions of the homestead law, and in addition thereto must pay two dollars and fifty cents per acre for land entered under the provisions of this section, such payment to be made at the time of making final proof on such lands.

SEC. 3. That all entries under this Act in the Black Hills Forest Reserve shall be subject to the quartz or lode mining laws of the United States, and the laws and regulations permitting the location, appropriation, and use of the waters within the said forest reserves for mining, irrigation, and other purposes; and no titles acquired to agricultural lands in said Black Hills Forest Reserve under this Act shall vest in the patentee any riparian rights to any stream or streams of flowing water within said reserve; and that such limitation of title shall be expressed in the patents for the lands covered by such entries.

SEC. 4. That no homestead settlements or entries shall be allowed in that portion of the Black Hills Forest Reserve in Lawrence and Pennington counties in South Dakota except to persons occupying lands therein prior to January first, nineteen hundred and six, and the provisions of this Act shall apply to the said counties in said reserve only so far as is necessary to give and perfect title of such settlers or occupants to lands chiefly valuable for agriculture therein occupied or claimed by them prior to the said date, and all homestead entries under this Act in said counties in said reserve shall be described by metes and bounds survey.

SEC. 5. That nothing herein contained shall be held to authorize any future settlement on any lands within forest reserves until such lands have been opened to settlement as provided in this Act, or to in any way impair the legal rights of any bona fide homestead settler who has or shall establish residence upon public lands prior to their inclusion within a forest reserve.

Approved, June 11, 1906.—(34 Stat. 233.)

AN ACT Excepting certain lands in Pennington County, South Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described townships in the Black Hills Forest Reserve, in Pennington County, South Dakota, to wit: Townships one north, one east; two north, one east; one north, two east; two north, two east; one south, one east; two south, one east; one south, two east; and two south, two east, Black Hills meridian, are hereby excepted from the operation of the provisions of section four of an Act entitled "An Act to provide for the entry of agricultural lands within forest reserves," approved June eleventh, nineteen hundred and six. The lands within the said townships to remain subject to all other provisions of said Act.

Approved, February 8, 1907.—(34 Stat. 883.)

AN ACT To amend an Act approved June eleventh, nineteen hundred and six, entitled "An Act to provide for the entry of agricultural lands within forest reserves."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to provide for the entry of agricultural lands within forest reserves," approved June eleventh, nineteen hundred and six, be amended by striking out of section one the following words: "Except the following counties in the State of California: Inyo, Tulare, Kern, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and San Diego."

Approved, May 30, 1908.—(35 Stat., 554.)

AN ACT Excepting certain lands in Lawrence and Pennington Counties, South Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described townships in the Black Hills Forest Reserve, South Dakota, to wit: Township three north, one east, and so much of townships two north, one east, and two north, two east, as are within Lawrence County, and township one north, three east, in Pennington County, Black Hills meridian, are hereby excepted from the operation of the provisions of section four of an Act entitled "An Act to provide for the entry of agricultural lands within forest reserves," approved June eleventh, nineteen hundred and six. The lands within the said townships to remain subject to all other provisions of said Act.

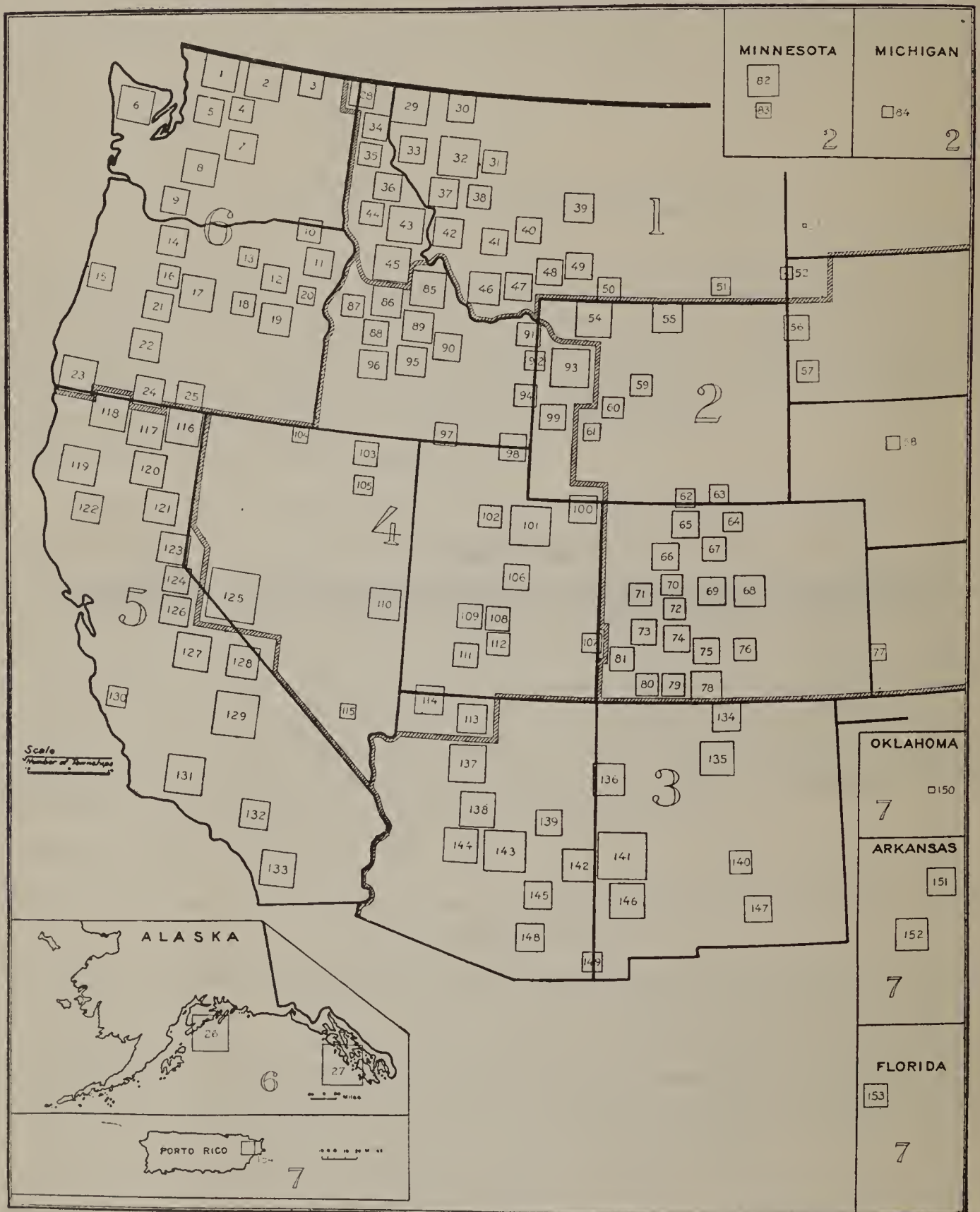
Approved, July 3, 1912.—(37 Stat., 188.)

AN ACT Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and thirteen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * That the Secretary of Agriculture is hereby directed and required to select, classify, and segregate, as soon as practicable, all lands within the boundaries of National Forests that may be opened to settlement and entry under the homestead laws applicable to the National Forests, and the sum of twenty-five thousand dollars is hereby appropriated for the purposes aforesaid.

Approved, August 10, 1912.—(37 Stat., 269.)

**KEY MAP,
SHOWING APPROXIMATE LOCATION OF NATIONAL FORESTS.**



Key map, showing approximate location of National Forests. (See legend on opposite page.)

LEGEND TO KEY MAP.

ARIZONA:		IDAHO—Continued.		OREGON:	
Apache.....	142	Kaniksu.....	28	Cascade.....	21
Chiricahua.....	149	Lemhi.....	90	Crater.....	24
Coconino.....	138	Minidoka.....	97	Deschutes.....	17
Coronado.....	148	Nezperce.....	45	Fremont.....	25
Crook.....	145	Palisade.....	92	Klamath.....	118
Dixie.....	114	Payette.....	88	Malheur.....	19
Kaibab.....	113	Pend Oreille.....	34	Minam.....	20
Manzano.....	136	St. Joe.....	36	Ochoco.....	18
Prescott.....	144	Salmon.....	85	Oregon.....	14
Sitgreaves.....	139	Sawtooth.....	95	Santiam.....	16
Tonto.....	143	Selway.....	43	Siskiyou.....	23
Tusayan.....	137	Targhee.....	91	Siuslaw.....	15
ARKANSAS:		Weiser.....	87	Umatilla.....	13
Arkansas.....	152	KANSAS:		Umpqua.....	22
Ozark.....	151	Kansas.....	77	Wallowa.....	11
CALIFORNIA:		MICHIGAN:		Wenaha.....	10
Angeles.....	132	Michigan.....	84	Whitman.....	12
California.....	122	MINNESOTA:		SOUTH DAKOTA:	
Cleveland.....	133	Minnesota.....	83	Black Hills.....	56
Crater.....	24	Superior.....	82	Harney.....	57
Eldorado.....	124	MONTANA:		Sioux.....	52
Inyo.....	128	Absaroka.....	49	UTAH:	
Klamath.....	118	Beartooth.....	50	Ashley.....	100
Lassen.....	120	Beaverhead.....	46	Cache.....	98
Modoc.....	116	Bitterroot.....	42	Dixie.....	114
Monterey.....	130	Blackfeet.....	30	Fillmore.....	109
Plumas.....	121	Cabinet.....	33	Fishlake.....	108
Santa Barbara.....	131	Custer.....	51	La Sal.....	107
Sequoia.....	129	Deerlodge.....	41	Manti.....	106
Shasta.....	117	Flathead.....	32	Minidoka.....	97
Sierra.....	127	Gallatin.....	47	Powell.....	112
Siskiyou.....	23	Helena.....	40	Sevier.....	111
Stanislaus.....	126	Jefferson.....	39	Uinta.....	101
Tahoe.....	123	Kootenai.....	29	Wasatch.....	102
Trinity.....	119	Lewis and Clark.....	31	WASHINGTON:	
COLORADO:		Lolo.....	37	Chelan.....	4
Arapaho.....	67	Madison.....	47	Columbia.....	10
Battlement.....	71	Missoula.....	38	Colville.....	3
Cochetopa.....	75	Sioux.....	52	Kaniksu.....	28
Colorado.....	64	NEBRASKA:		Okanogan.....	2
Durango.....	80	Nebraska.....	58	Olympic.....	6
Gunnison.....	74	NEVADA:		Rainier.....	8
Hayden.....	62	Eldorado.....	124	Snoqualmie.....	5
Holy Cross.....	70	Humboldt.....	103	Washington.....	1
La Sal.....	107	Inyo.....	128	Wenaha.....	10
Leadville.....	69	Moapa.....	115	Wenatchee.....	7
Montezuma.....	81	Nevada.....	110	WYOMING:	
Pike.....	68	Ruby.....	105	Ashley.....	100
Rio Grande.....	78	Santa Rosa.....	104	Bighorn.....	55
Routt.....	65	Tahoe.....	123	Bonneville.....	59
San Isabel.....	76	Toiyabe.....	125	Bridger.....	60
San Juan.....	79	NEW MEXICO:		Caribou.....	94
Sopris.....	72	Alamo.....	147	Hayden.....	62
Uncompahgre.....	73	Carson.....	134	Medicine Bow.....	63
White River.....	66	Chiricahua.....	149	Palisade.....	92
FLORIDA:		Datil.....	141	Shoshone.....	54
Florida.....	153	Gila.....	146	Targhee.....	91
IDAHO:		Lincoln.....	140	Teton.....	93
Boise.....	96	Manzano.....	136	Washakie.....	61
Cache.....	98	Santa Fe.....	135	Wyoming.....	99
Caribou.....	94	NORTH DAKOTA:		ALASKA:	
Challis.....	89	Dakota.....	53	Chugach.....	26
Clearwater.....	44	OKLAHOMA:		Tongass.....	27
Coeur d'Alene.....	35	Wichita.....	150	PORTO RICO:	
Idaho.....	86			Luquillo.....	154

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